

In the final Office Action mailed July 18, 2000, claims 19-22 were rejected under 35 USC §102(b) as being anticipated by Bright et al. U.S. Patent No. 3,969,043. Claims 1-2, 4-8, 10-11, 14-16, 18, 24 and 25 were rejected under 35 USC §103(a) as being unpatentable over Bright in view of Baclawski U.S. Patent No. 3,243,619. Claims 3, 9, 17 and 23 were rejected under §103 as being unpatentable over Bright in view of Baclawski and further in view of Metheny et al. U.S. Patent No. 5,763,969. Finally, claims 12 and 13 were rejected under §103(a) as being unpatentable over Bright in view of Baclawski and in further view of Eheim U.S. Patent No. 3,635,594.

By the present amendment, the applicants have cancelled original claims 1-25 and have added new claims 26-39. Specifically, new claims 26-31 generally correspond to original claims 19-25, while new claims 32-39 correspond to the original claims 1-18.

Claims 26-31

Claim 26 has been written to more particularly point out and distinctly claim the patentable aspects of the present invention as compared to original claim 19 rejected by the Examiner. Specifically, independent claim 26 has been written to indicate that the main housing is configured to conform to the shape of the motor assembly, which includes the stator, the rotor and at least one bobbin. Further, the main housing includes a plurality of vents. As defined by claim 1, rotation of the rotor causes the impeller to rotate to circulate air through the vents in the housing to direct a curtain of air over the motor to cool the motor assembly.

The Bright '043 patent cited by the Examiner in rejecting original claim 19 discloses a submersible motor unit with a housing assembly that is "hermetically sealed and filled as to be internally flooded with a dielectric coolant fluid..." (col. 2, line 26). This indicates that the enclosure/housing of the Bright '043 reference cannot be vented to allow air to pass through the unit to cool the motor, as required by independent claim 26. Furthermore, the Bright housing is "box-like" (col. 4, line 11) and is not configured to enhance the cooling capabilities of the motor. Instead, the

housing of the Bright reference is designed to provide an air-tight enclosure around the motor assembly while preventing a coolant fluid from escaping.

Therefore, by providing the vents in the housing of the present invention, and by configuring the housing to conform to the shape of the motor assembly, as required by claim 26, a curtain of air can be strategically drawn through the vents of the main housing and concentrated onto the motor assembly, which will in turn enhance performance, safety and motor longevity. By using air to cool the motor, the need for a coolant fluid is obviated.

Additionally, the remaining references cited by the Examiner in rejecting original claims 1-25 do not teach or suggest, nor render obvious, the inclusion of vent slots in the main housing such that air can be circulated through the vents to direct a curtain of air over the motor assembly to cool the motor assembly. Thus, the applicants hereby request allowance of claim 26.

Claims 27-31 depend directly or indirectly from claim 26 and are believed to be allowable for the above reasons, as well as in view of the subject matter of each claim.

Claims 32-29

Independent claim 32 has been written to more particularly point out and distinctly claim the patentable aspects of the present invention. Generally, the subject matter of independent claim 32 corresponds to the subject matter of original independent claim 1 and dependent claims 2 and 7. In general, these original claims were rejected under §103(a) as being unpatentable over the Bright '043 patent in view of the Baclawski '619 patent.

As discussed above in the arguments for allowance of claim 26, the Bright reference teaches a submersible motor unit with a housing assembly that is sealed to prevent coolant fluid from leaving the housing. Independent claim 32 has been written to distinctly require the main housing to include a plurality of vent slots. The vent slots allow the impeller to circulate air through the housing to cool the motor. As discussed above, the housing of the Bright patent cannot include such vent slots to enhance the cooling of the motor.

Likewise, the Baclawski '619 patent cited by the Examiner does not teach or suggest such vent slots in the housing.

Therefore, by providing vent slots in the housing of the present invention and by configuring the housing to conform to the shape of the motor assembly, as required by claim 32, a curtain of air can be strategically drawn through the vent slots and concentrated onto the motor assembly, which in turn will enhance performance, safety and motor longevity. Additionally, by using air to cool the motor, the need for a coolant fluid is obviated. For this reason, independent claim 32 is believed to be allowable over the references cited by the Examiner.

Dependent claims 33-39 depend directly or indirectly from claim 32 and are believed to be allowable for the above-identified reasons, as well as in view of the subject matter of each claim.

Conclusion

By the present amendment, the applicants have cancelled original claims 1-25 and have presented new claims 26-39. The applicants' attorney has made every effort to present claims 26-39 in a form that is believed to be allowable over the references cited by the Examiner. Thus, applicant's attorney hereby requests passage of claims 26-39 to allowance.

The Examiner is invited to contact applicants' undersigned attorney with any suggestions or comments, or to otherwise facilitate prosecution.

Respectfully submitted,

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